

Remarks

The office action of January 6, 2005, has been carefully reviewed. This paper is responsive thereto.

Claims 1-25 were pending at the time of the office action.

Interview of March 24, 2005

Applicants wish to thank the Examiner and his primary for the interview of March 24, 2005. While no agreement was reached, the above amendments are believed to place the application in condition for allowance.

Oral Election of November 24, 2004

On November 24, 2005, in response to a discussion with Examiner Nguyen of Group 2100, Applicants' representative orally elected claims 14-21. Examiner Nguyen and Applicants' representative discussed the need for a restriction based on the separate grouping of claims as follows:

- Group I: Claims 1-13
- Group II: Claims 14-21
- Group III: Claims 22, 24, and 25
- Group IV: Claim 23

Applicants elected to pursue Group II. In response to Applicants' election, Applicants have filed three divisional applications to non-elected Groups I, III, and IV.

Accordingly, Applicants address the rejections as related to elected claims 14-21.

Rejection of Claims under 35 U.S.C. § 101

Claims 14-21 stand rejected under 35 U.S.C. § 101 as relating to non-statutory subject matter. Applicants draw the Examiner's attention to MPEP 2106 2(a) relating to statutory product claims. Also, see *In re Lowrey* 32 F.3d at 1583, 32 U.S.P.Q.2d 1034-1035. As the claims are statutory per MPEP 2106, Applicants request the rejection under 35 U.S.C. § 101 be withdrawn.

Rejection of Claims under 35 U.S.C. § 102 over QuickTime

In light of the above withdrawal of claims, claims 17, 20, and 21 stand rejected under 35 U.S.C. § 102(b) over QuickTime. Applicants traverse.

As amended, claim 17 recites, *inter alia*:

“ a first portion having a tag representing an identification of a type of tag data;
a second portion identifying a size of said tag data, said size portion permitting said computer to skip over said tag data;
a third portion having said tag data...”

The Examiner cites to the gxPath of the QuickTime document for this claim. The Examiner refers to the tag as relating to gxPath structure and the second portion relating to the “vectors” field. The Examiner refers to the “vector” field relating to the third portion. Here, the “vectors” field does not relate to the size of tag data. Rather, the “vectors” field relates to the number of points in a contour. With the QuickTime reference, the size of the data defining the points may vary tremendously in size, while the number of points in the “vectors” field remains the same. In this regard, there is nothing in the QuickTime gxPath that relates to the “size of tag data”. Accordingly, claim 17 is allowable over the QuickTime reference. Claims 20 and 21 have been similarly amended and are believed allowable as well.

Rejection of Claims under 35 U.S.C. § 103 over QuickTime in view of Hansen

In light of the above withdrawal of claims, claims 14-16, 18, and 19 stand rejected under 35 U.S.C. § 103 over QuickTime in view of Hansen. Applicants traverse.

Claim 14 recites, *inter alia*:

“ a first portion having a tag representing an identification of a type of tag data;
a second portion identifying a size of said tag data, said size portion permitting said computer to skip over said tag data;
a third portion having said tag data ...”

As amended, claim 14 defines over the QuickTime reference defined above as claim now

Dresevic – U.S. Patent Serial No. 09/852,799

calls for a “size of tag data”. QuickTime only teaches “vectors” which describes the count of points in “vector”. Similarly, Hansen fails to teach or suggest the recitations missing from the QuickTime reference. Accordingly, the combination fails to teach or suggest the combination as claimed. Claim 14 is allowable over the combination.

Related and dependent claims 15-16, 18, and 19, include similar recitations or depend from claim 14 and are believed allowable.

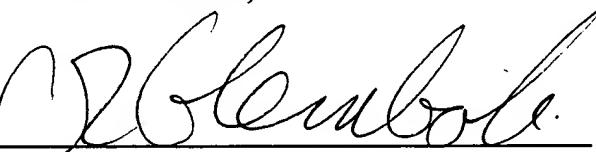
All rejections having been addressed, Applicants request the application be allowed in due course.

Should the Patent and Trademark Office determine that a fee is required, please charge our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By:


Christopher R. Glembocki
Registration No. 38,800

1001 G. Street, N.W.
Washington, D.C. 20001-4597
(202) 824-3000
Dated: April 6, 2005